

## Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 COME-00 CIAE-00 INR-07 NSAE-00

L-03 OPIC-03 /027 W

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R 132155Z JUN 75

FM AMEMBASSY PORT AU PRINCE

TO SECSTATE WASHDC 36

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E.O. 11652: N/A

TAGS: EINV, HA

SUBJECT: TRANSLINEAR NEGOTIATION ON ILE DE LA TORTUE CONTRACT  
DELAYED

1. TRANSLINEAR NEGOTIATOR CARDEN REPORTED TO EMBASSY THAT GOH HAS APPARENTLY ADOPTED NEW DELAYING TACTICS IN THE NEGOTIATION OF A CONTRACT FOR DEVELOPMENT OF THE ILE DE LA TORTUE AND THAT HE NOW FEARS THAT OPPONENTS OF CONTRACT MAY SUCCEED IN BLOCKING IT.

2. FOR LAST THREE OR FOUR MONTHS, CARDEN HAS BEEN NEGOTIATING WITH UNDERSECRETARY OF COMMERCE AND INDUSTRY HENRI BAYARD WHO CONFIDENTLY PROPHECIZED SIGNATURE OF CONTRACT BY JUNE 1. HOWEVER, AT LAST MOMENT, WHEN SUPPOSEDLY FINAL DISCUSSIONS WERE TO BE HELD WITH BAYARD AND FINANCE SECRETARY BROS, BAYARD DISAPPEARED FROM SCENE, AND BROS INFORMED CARDEN THAT PRESIDENT'S SPECIAL COMMITTEE ON FOREIGN INVESTMENT MUST APPROVE CONTRACT. HE SUGGESTED COMMITTEE MIGHT BE ABLE TO DECIDE ON PROJECT BY JUNE 21.

3. CARDEN APPROACHED ALL HIS SOURCES IN EFFORT TO OBTAIN APPOINTMENT WITH THE PRESIDENT IN HOPE CLEAR CUT DECISION COULD BE OBTAINED. ALTHOUGH NOT SUCCESSFUL IN THIS, HE DID MANAGE TO SEE GRACIA JACQUES (WHO GAVE HIM VERY WARM AND FRIENDLY RECEPTION) AND PIERRE GOUSSE. LATTER WAS COOL, BUT CORRECT; INFORMING CARDEN THAT EVERYONE WAS IN FAVOR OF PROJECT BUT THAT COMPANY OFFICIALS MUST BE PATIENT. AFTER MUCH URGING BY CARDEN,

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GOUSSE FINALLY AGREED TO TRANSMIT CARDEN'S LETTER TO THE PRESIDENT

AND STATED THAT COMMITTEE WOULD SUMMON TRANSLINEAR REPS BACK TO HAITI BETWEEN JUNE 16-20.

4. CARDEN HAS BEEN UNABLE TO DETERMINE REASONS FOR DELAY BUT HE DOES NOT THINK IT MERELY EXAMPLE OF NORMAL HAITIAN PROCRASTINATION AT DECISION-MAKING TIME. HE BELIEVES THERE ARE STRONG FORCES WORKING AGAINST HIS COMPANY--PERHAPS THE GROUP WHICH HAD EARLIER DEMANDED MONEY FROM HIM. AS ANOTHER POSSIBILITY, HE CITED REPORTS THAT ANOTHER U.S. COMPANY (PERHAPS GULF OIL OR GULF AND WESTERN) WANTED THE CONTRACT TO DEVELOP THE ISLAND AND HAD SPREAD MONEY IN HAITI TO BLOCK TRANSLINEAR.

5. EMBASSY ADVISED CARDEN THAT THERE HAD BEEN MORE INTEREST RECENTLY IN THE USE OF THE PRESIDENT'S SPECIAL COMMITTEE ON FOREIGN INVESTMENTS AND SUGGESTED THAT HE FOLLOW THROUGH WITH THE SUGGESTED PROCEDURE, KEEPING THE EMBASSY INFORMED.

6. RECENT EVENTS INDICATE THERE MAY BE ANOTHER REASON BEHIND THE DELAY IN TRANSLINEAR NEGOTIATIONS. ON JUNE 13, SECRETARY OF JUSTICE PROPOSED TO THE LEGISLATIVE ENACTMENT OF A NEW LAW TO REGULATE FOREIGN NATIONAL ACQUISITION, OWNERSHIP AND TRANSFER RIGHTS OF HAITIAN REAL PROPERTY. ALTHOUGH TEXT OF BILL WILL NOT BE AVAILABLE UNTIL JUNE 18, JEANTY'S SPEECH GIVES IMPRESSION THAT NEW RULES, ALTHOUGH STILL IN ACCORDANCE WITH ARTICLE 14 OF THE CONSTITUTION MAY BE MORE RESTRICTIVE WITH RESPECT TO OWNERSHIP OF PROPERTY, BOTH BY INDIVIDUAL FOREIGN NATIONALS AND BY COMPANIES WHOLLY OR PARTIALLY FOREIGN OWNED.

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## Message Attributes

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**Disposition Date:** 28 MAY 2004  
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**To:** STATE  
**Type:** TE  
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